

CITY OF WOODSTOCK

ORDINANCE

WHEREAS, the Mayor and Council of the City of Woodstock, Georgia have determined that a amendment to a condition to the rezoning of the identified property in the Exhibit "A" would be in the best interest of the property owners of the area and of the citizens of the City; and

WHEREAS, said amendment are and have been accessible to members of the public and said amendments have been kept and maintained for public inspection during the normal business hours at Woodstock City Hall, and notice to take action having been published in the Cherokee Tribune, a newspaper of general circulation within the territorial boundaries of the municipality of the City of Woodstock, for a period of fifteen (15) days prior to the public hearing; and

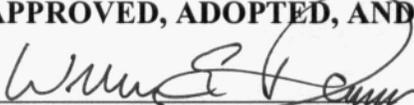
WHEREAS, the governing authority of the City of Woodstock, Georgia has read and considered the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Mayor and Council of the City of Woodstock, Georgia that the aforesaid amendments shall now and hereafter be maintained for public inspection during normal business hours at the City Hall under the custody of the Clerk of the City of Woodstock; and

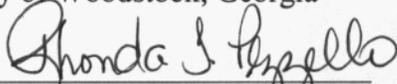
NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Mayor and Council of the City of Woodstock, Georgia by the lawful authority vested in them that the conditions of zoning of the above identified property, as further described in Exhibit "A" to this Ordinance, is hereby amended by deleting the prohibited use of "Kennel, commercial" (item #6, from the Ordinance enacted on August 24, 1999) and allowing "Kennel, commercial" at the identified property in Exhibit "A" with the following conditions:

1. The primary activities/business for Kennel shall be indoor with no outdoor boarding or keeping of animals.
2. Not more than three animals at one time shall be permitted outdoor for any activities.
3. Outdoor premises shall be kept clean and maintained all the times. Which shall be the responsibility of the either/or property owner and business operator/owner.
4. The site improvements shall be compatible with the existing structure.

APPROVED, ADOPTED, AND ENACTED this **27th** day of **June**, 2002.



William E. Dewrell, Mayor
City of Woodstock, Georgia



Rhonda L. Pezzello, City Clerk
City of Woodstock, Georgia

(Municipal Seal)

Approved as to form: _____
Eldon L. Basham, City Attorney

1st Reading: June 11, 2002
2nd Reading: June 25, 2002

Date of Public Hearing: June 11, 2002

Advertisement: Cherokee County Tribune: May 17, 2002



Meeting Date
June 11, 2002

AGENDA REQUEST FORM
City of Woodstock, City Council

Agenda Item Number
4D

TITLE: Rezoning Condition Amendment
CASE Z#001-02

REQUESTED ACTION:

Amendment to the condition of "Kennel – Not Permitted" by deleting from the condition and allowing "Kennel, commercial" for the subject property.

SUMMARY EXPLANATION AND BACKGROUND:

Staff Recommendation, Planning Commission Recommendation

"SEE ATTACHED"

Council Action:

SOURCE OF ADDITIONAL INFORMATION:

Harmit Bedi 770 592 6037 _____

(For Official Records Only)

OFFICE OF THE CITY MANAGER:

Action in Open Council Meeting (Approved/Denied/Conditions) on: _____

Date

By: _____

Mayor

**CITY OF WOODSTOCK
MAYOR AND THE CITY COUNCIL
CASE SUMMARY**

DATE: June 11, 2002
TO: Mayor Bill Drewell and the City Council
FROM: Harmit Bedi, Director, Planning & Economic Development
SUBJECT: Application for Rezoning. CASE Z#001-02 (Amendment)

ISSUE: Mr. Donald Housfeld of Woodstock has applied for a Rezoning- Condition Amendment.

BACKGROUND:

Applicant/Owner: Mr. Donald Housfeld
The Landon Group, Inc.
3205 S. Cherokee Lane, Suite 120
Woodstock, GA 30188

Existing Zoning: GC – Conditional (General Commercial)

Request: Amendment to a Condition, removing Kennel as a not permitted use.

Purpose: To develop for a "Kennel" use.

Property Size: 1.54 Acres

Location: SE Corner of Hwy. 92 and S. Cherokee Lane

Public Notice: Sign Posted / Neighbors Informed/Ad in Paper

PUBLIC RESPONSE: Will be informed at the meeting.

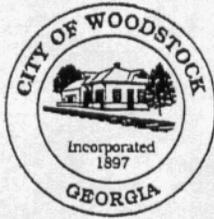
STAFF RECOMMENDATION:

Approval of removing "Kennel, Commercial" use from the Conditional Uses List from the subject property with the following conditions if this use is applied for an Occupational License with the City of Woodstock:

1. The primary activities/business for Kennel shall be indoor with no outdoor boarding or keeping of animals.
2. Not more than three animals at one time shall be permitted outdoor for any activities.
3. Outdoor premises shall be kept clean and maintained all the times. Which shall be the responsibility of the either/or property owner and business operator/owner.
4. The site improvements shall be compatible with the existing structure.

Planning Commission Recommendation:

As presented by the Staff. (Unanimous)



City of Woodstock

103 Arnold Mill Road, Woodstock, Georgia 30188
770-926-8852 • 770-926-1375 (Fax)

TO: Mayor Bill Drewell and the City Council
DATE: June 11, 2002
FROM: Harmit Bedi, Director, Planning & Economic Development
SUBJECT: Application for Rezoning.
Case Z#001-02 (Amendment)

FINDINGS OF FACT:

The Department of Planning and Economic Development has received an application from Donald Housfeld of Woodstock, Georgia for Rezoning Amendment. The subject property parcel 15N24 – 149A, is located at the SW corner of Hwy.92 and S. Cherokee Lane, Woodstock, Georgia. The subject Parcel is 1.54 Acres. The subject parcel is Zoned GC – Conditional. The subject parcel is surrounded by OSI (Office Space and Institutional District) on the north and south, GC (General Commercial) in the west and R-40 in the east.

THE REQUEST:

The applicant is requesting an Amendment to one of the Zoning Condition by deleting not permitted use of “Kennel, Commercial” and allowing “Kennel, commercial” uses at the subject property.

BACKGROUND:

During the regular meeting of the City Council on August 24, 1999 the subject property was annexed to the City and Rezoned to GC (General Commercial) with a number of Conditions (Copy attached). Where a number of uses were not permitted for the subject property including “Kennel, Commercial.” Which is otherwise a Permitted Use under GC Zoning District.

As stated, in the narrative, by the applicant the particular condition was a self imposed condition with the understanding of the definition; Kennel as a use with outdoor boarding of the animals.

ZONING ANALYSIS:

1. As per research by the staff regarding the definition of Kennel, it is the conclusion that, the definition covers a broad spectrum of uses/activities under the word Kennel, a place which regularly breeds, boards, trains, buys, and sells or trade any dog.
2. Kennel, commercial is a permitted use under the GC (General Commercial) Zoning District.
3. The location of the property is such, situated at a lower topographic level from the northern residential properties, that any limited outdoor activities by Kennel operators on the premises may have minimal visual or noise or odor impact on the abutting properties including residential.
4. Such stated use is primarily contracted by the residential areas with pet population.

CONCLUSION:

The stated use if deleted as a not permitted use for the subject property shall not be non conformity of the intent of the Ordinance. If permitted, the particular use will not have any adverse impact on the surrounding uses both commercial and residential.

STAFF RECOMMENDATIONS:

Approval of removing "Kennel, Commercial" use from the Conditional Uses List from the subject property and allowing the same use at the subject property with the following conditions if this use is applied for an Occupational License with the City of Woodstock:

1. The primary activities/business for Kennel shall be indoor with no outdoor boarding or keeping of animals.
2. Not more than three animals at one time shall be permitted outdoor for any activities.
3. Outdoor premises shall be kept clean and maintained all the times. Which shall be the responsibility of the either/or property owner and business operator/owner.
4. The site improvements shall be compatible with the existing structure.

PLANNING COMMISSION RECOMMENDATION:

As presented by the Staff. (unanimous)

CITY OF WOODSTOCK
APPLICATION FOR ZONING AMENDMENT
CASE Z# 001-02

APR 12 2002
RECEIVED

Date Received: 04/12/02 Meeting Date: 05/07/02

Applicant: THE LANDON GROUP, INC.

Applicant's Address: 3205 S. CHEROKEE LANE, SUITE 120
WOODSTOCK, GA 30188

Applicant's Phone No.: 770-516-5250 Fax No.: 770-516-1114

Owner of the Property: DAH INVESTMENTS, LLLP

Owner's Address: "SAME"

Owner's Telephone No.: "SAME" Fax No.: "SAME"

Contact Person's Name: DONALD A. HAUSEFELD

Contact Person's Phone No.: "SAME" Fax No.: "SAME"

Present Zoning: GC-CONDITIONED Requested Zoning: GC-REFINEMENT OF CONDITION

Location of Property: SW CORNER OF S.R. 92 & S. CHEROKEE LANE

Tax Parcel Number (PIN): 15424149A Acreage: 1.54AC

Existing Structure and/or Use of Property: VACANT

Proposed Use: PROFESSIONAL DOG TRAINING & BOARDING FACILITY (ALL ENCLOSED)

Public / Private Roadway Access: S.R. 92 & S. CHEROKEE LANE

Special Physical Characteristics: THE SITE IS GRADED W/ALL UTILITIES IN PLACE.

Adjacent Zonings: North: OSI East: R-40

South: OSI West: GC

I hereby certify that the above information and all attached information is true and correct.

[Signature] 4-11-02
Signature of Applicant Date

[Signature] 4-11-02
Signature of Owner Date

I hereby withdraw this application:

Signature of Applicant Date

***** STAFF USE ONLY *****

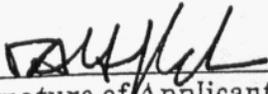
Sign Posted: Date: _____ Notices to the Neighbors: Date: _____

Planning Commission Action: Approved / Denied Date: _____

Board of Commissioners Action: Approved / Denied Date: _____

CONFLICT OF INTEREST CERTIFICATION
FOR ZONING APPLICATION

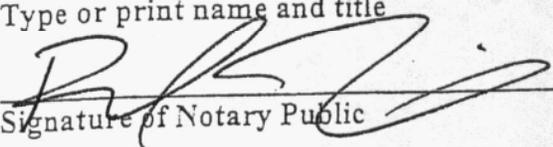
The undersigned below, making application for a zone change has complied with the O.C.G.A. § 36-67A, et. Seq., Conflict of Interest In Zoning Actions, and has submitted or attached the required information on the forms provided. Title 36 relates to disclosure of financial interests, campaign contributions, and penalties for violating O.C.G.A.

 4-11-02
Signature of Applicant Date

DONALD A. HAUSFELD, PRESIDENT
Type or print name and title

Signature of Applicant's attorney Date

Type or print name and title

 4/11/02
Signature of Notary Public Date

(Notary Seal)

THE LANDON GROUP, INC.

April 11, 2002

Mr. Harmit Bedi, AICP
City Of Woodstock
Director of Planning and Economic Development
103 Arnold Mill Road
Woodstock, Georgia 30188

Re: **"APPLICANT'S RESPONSES"**
City Of Woodstock Zoning Application

Dear Harmit:

In order to answer fully the questions required for our zoning application, the following responses are provided for your review:

Proposed Project:

1. The use for the Subject Property would be for a professional dog training and boarding facility. Man's Best Friend has several facilities in Texas and is expanding into the Atlanta area. They have a good reputation as a clean and professional business and are willing to make a substantial investment in the Woodstock Community as evidenced by the type of building that they will build.
2. The architecture of the building will be consistent with the Weatherstone Park Architectural Standards. (See attached architectural elevations).
3. All training and boarding activities will be contained inside the building with the exception of walking the dogs in an enclosed area located to the rear of the building. Each dog will be on a leash and walked with a trainer one at a time. No dogs will be boarded or kept outside.
4. Man's Best Friend's is headquartered in Texas with its facilities located adjacent to residential areas and due to the indoor nature of their business, all noises are buffered and have not created a problem. In this specific case there are no residential areas and therefore, no existing homes exist adjacent to the Subject Property. Furthermore, the Subject property is located +/- 18 feet below the office park to the south, thereby limiting any views to the rear of the facility.
5. The main business of Man's Best Friend is to train a dog for a period of a few days with the owner of the dog watching through a one-sided glass window. Following that period of time the owner will work with the trainer and the dog to ensure that the owner is fully educated as to the trainer's commands and how to deal with their dog in various situations.

Background:

1. The Subject Property is currently zoned to the General Commercial zoning classification, which allows for the use classified as "Kennel, commercial."
2. When the Subject Property was originally rezoned on August 24, 1999 the Applicant submitted a set of self-imposed conditions that would eliminate any of the City's concerns of creating an ugly or unsightly situation.
3. The Applicant placed the classification of "Kennel, commercial" on the list of non-permitted uses mainly due to the fact that the City as well as the Applicant felt that the definition of "Kennel, commercial" was a facility that housed dogs outside and was generally operated from a rather minimal building as can be seen in many facilities in North Fulton County.
4. The Applicant in this case does not seek a rezoning but rather a refinement to the self-imposed condition stating that "Kennel, commercial" is defined to mean where the majority of the facilities and operations takes place outdoors and is not defined to mean an indoor professional training and boarding facility and therefore, is a permitted use.

In many ways Man's Best Friend's facility is no different than a veterinarian office that boards dog's overnight, which is currently permitted on the Subject Property.

- (A) **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property?**
The proposed use for the Subject Property is suitable in view of the use and development of adjacent and nearby properties. It was not the intent of the self-imposed condition to limit a high quality facility from locating on the Subject Property. It was intended solely to limit any unsightly or potentially ugly situation, which in this case, with the substantial investment that Man's Best Friend will make, is clearly not what was intended to be prohibited.
- (B) **How the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property?**
The proposed use of the Subject Property with its strong architectural presence and with the enclosed nature of its business will not have an adverse affect on the existing use or usability of adjacent or nearby properties.
- (C) **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned?**
The Subject Property does have a reasonable economic use as currently zoned. However, in this specific case, if this type of professional dog training facility had already been located in the Atlanta area this use would not have been included in the Applicant's self-imposed conditions due to the quality of the facilities and operations.

- (D) **Whether the proposed zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The proposed rezoning will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

- (E) **Whether the proposed zoning is in conformity with the policy and intent of the land use plan?**

We respectfully submit that the Proposed Project not only meets the intent of the Comprehensive Land Use Plan and the Overlay Zoning District but also was not an issue that the City Council discussed or requested at the rezoning hearing in 1999. The condition outlined above was self-imposed and was not intended by the City Council or the Applicant to eliminate a professional use that would build such a substantial building or make such a substantial investment in the City of Woodstock.

- (F) **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?**

The changing conditions affecting the use and development of the Subject Property only become apparent when an applicant self-imposes a condition to ensure that the City understands his commitment to creating a quality project. The zoning classifications are very general in nature, and with businesses constantly reinventing how they conduct themselves and how they can raise their professional standards to capture a larger market share, these general classification sometimes need to be redefined, as in this case. It was never the City's or the Applicant's intent to limit such a professional business from making a substantial investment or from building such a substantial structure on the Subject Property.

Respectfully Submitted,



Donald A. Hausfeld

DISCLOSURE STATEMENT

Nothing in Chapter 36 of O.C.G.A. shall be construed to prohibit a local government official from voting on a zoning decision when the local government is adopting a zoning ordinance for the first time or when a local government is voting upon a revision of the zoning ordinance initiated by the local government pursuant to a comprehensive plan as defined in Chapter 70 of this title.

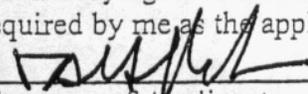
- No, I have made not made any campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.
- Yes, I have made campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

To Whom: _____

Value of Contribution: _____

Date of Contribution: _____

I have read and understand the above and hereby agree to all that is required by me as the applicant.

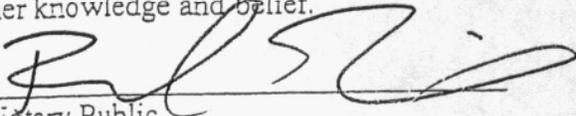


Signature of Applicant

Personally appeared before me

DON HAUSFELD
Applicant (Print)

Who on oath deposes and says that the above is true to the best of his or her knowledge and belief.



Notary Public

4/11/02
Date

(Notary Seal)

AUTHORIZATION BY PROPERTY OWNER

I, DONALD A. HAUSFELD, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Bryan County, Georgia.

He/She authorizes the person named below to act as applicant in the pursuit of a rezoning of this property.

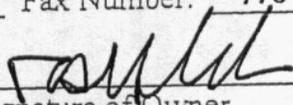
I hereby authorize the staff of the City of Woodstock, Department of Planning and Economic Development to inspect the premises which are subject of this zoning application.

Name of Applicant: THE LANDON GROUP INC.

Address: 3205 S. CHEROKEE LANE, SUITE 120

City: WOODSTOCK State: GA Zip Code: 30188

Telephone Number: 770-516-5250 Fax Number: 770-516-1114

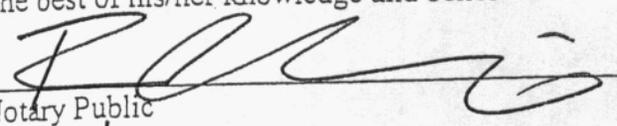

Signature of Owner

4-11-02
Date

Personally appeared before me

Don Hausfeld
Owners Name (Print)

Who swears before that the information contained
In this authorization is true and correct to
The best of his/her knowledge and belief.


Notary Public

4/11/02
Date (Notary Seal)

ORDINANCE

CITY OF WOODSTOCK ORDINANCES AND AMENDMENT TO THE CHARTER OF THE CITY OF WOODSTOCK

ANNEXING property into the corporate limits of the City of Woodstock, Georgia, consisting of three parcels located in Land Lots 1176 of the 15th District, 2nd Section, Cherokee County, Georgia, tax map and parcel numbers 15 N 24 - 148, 149A and 149C, 10.34 acres, located along Highway 92 at 3195 South Cherokee Lane and 12840 Highway 92.

WHEREAS, O.C.G.A. Sec. 36-36-21 provides that the governing bodies of the several municipal corporations of this State have authority to annex to the existing corporate limits thereof unincorporated areas contiguous to the existing corporate limits at the time of such annexation, upon the written and signed applications of all the owners of all the land, except the owners of any public street, road, highway, or right-of-way, proposed to be annexed, containing a complete description of the lands to be annexed; and

WHEREAS, O.C.G.A. Sec. 36-36-21 further provides that when such application is acted upon by the municipal authorities and the land is, by ordinance, annexed to the municipal corporation, an identification of the property so annexed shall be filed with the Secretary of State and with the governing authority of Cherokee County and that such lands shall constitute a part of the lands within the corporate limits of the municipal corporation as completely and fully as if the limits had been marked and defined by special act of the General Assembly; and

WHEREAS, the Mayor and Council of the City of Woodstock have determined that the annexation to the City of Woodstock of the area proposed in said application would be in the best interest of the residents and property owners of the area proposed for annexation and of the citizens of the City of Woodstock; and

NOW, THEREFORE, the Mayor and Council of the City of Woodstock, Georgia, hereby ordain that the City Charter of the City of Woodstock is hereby amended, as follows:

Section 1: The following property to wit: All that tract or parcel of land lying and being in, Land Lot 1176 of the 15th District, 2nd Section, Cherokee County, Georgia, tax map and parcel numbers 15 N 24 - 148, 149A & 149C, 10.34 acres being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by this reference.

Section 2: The above-described property is hereby annexed into the corporate limits of the City of Woodstock, Georgia.

Section 3: The above-described property is hereby placed in Ward number 5 within the corporate limits of the City of Woodstock, Georgia.

Section 4: The above described property, identified on tax map 15 N 24 as parcel numbers, 148 & 149A and a portion of parcel 149C hereby zoned General Commercial (GC) with Parkway District Overlay Zoning, said portion of 12 N 24 - 149C being more particularly described on exhibit "B" attached hereto and made a part hereof by reference.

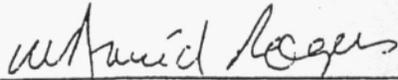
The remainder of parcel 15 N 24 149C is hereby zoned Office Space Institutional (OSI), with Parkway District Overlay Zoning, said property being more particularly described on Exhibit "C" attached hereto and made a part hereof by reference. Said zoning is made in accordance with the Woodstock Zoning Ordinance, subject to the Conditions of Zoning attached hereto as Exhibit "D".

Section 5: The requirements of section 7.067(a): (Buffer Matrix) of the Land Development Ordinance of the City of Woodstock, Georgia, are waived with respect to that certain portion of the above described property which lies adjacent to and abuts those properties identified as tax map and parcel number 15 N 24 - 147 and 15 N 24 - 149B. Said property remains subject to the Conditions of Zoning attached hereto as Exhibit "D".

It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

This Ordinance shall become effective upon the approval of the Mayor and Council of the City of Woodstock, Georgia, as required by Georgia law.

APPROVED, ADOPTED, AND ENACTED this 24th day of August, 1999



W. DAVID ROGERS, MAYOR
CITY OF WOODSTOCK, GEORGIA



RHONDA L. PEZZELLO, CLERK
CITY OF WOODSTOCK

(Municipal Seal)

Approved as to form:

ELDON L. BASHAM, City Attorney

First Reading August 10, 1999 Second Reading August 24, 1999

Public Hearing August 10, 1999

Public Hearing Advertisement Cherokee Tribune July 9, 1999

Charter Amendment Advertisement Cherokee Tribune

July 9, 1999

July 16, 1999

July 23, 1999

CONDITIONS OF ZONING

Page 1 of 3

1. The entire mixed-use project shall be tied together with sidewalks to allow for the OSI and the GC portions of the site to interact without the use of automobiles.
2. That the buffers required shall be as follows:
 - a. 35 feet along the entire southern boundary of the Subject Property as required by the buffer ordinance.
 - b. In lieu of a buffer adjacent to the parcel identified as tax map and parcel number 15 N 24 - 147, a six (6) foot high board on board privacy fence to be constructed at the property line. Said fence is to be screened to the rear by evergreen trees of at least eight (8) feet in height.
3. The recording of Commercial Covenants and Condominium Association Documents to ensure that the architectural and aesthetic integrity of the Subject Project will be maintained in perpetuity.
4. The Applicant shall hire a property management company to manage the day to day operations of the Office Park Condominium Association and the Retail Association which will include the maintenance, the preparation of yearly operating budgets, the management of all Association monies as well as ensuring that the Association is properly insured.
5. That the distance between buildings shall be 15 feet as currently permitted.
6. The following General Commercial (GC) uses shall not be permitted:
 - Ambulance Service
 - Auditorium, assembly hall, civic center
 - Auto-truck sales, repairs, parts
 - Bait sales
 - Bakery production facilities
 - Bar, cocktail lounge, tavern (serving alcoholic beverages)
 - Bowling alley
 - Broadcasting studio (radio, TV)
 - Builders supplies, sales
 - Bus station
 - Car wash
 - Cemetery (minimum 5 acres): commercial & non-commercial, i.e. church
 - Communication, cellular or microwave towers (w/Special Use Permit)
 - Designated Recycling Collection Location
 - Driving ranges, golf
 - Dry cleaning store-on premises
 - Fire station, fire tower
 - Florist: major production facilities

Gas regulation stations and electric substations & Gasoline service stations
Golf course
Greenhouse, nursery, landscaping
Grocery/general merchandise store combination
Hotel / Motel: New commercial facilities only
Ice manufacturing & sales
Kennel, commercial
Laboratory, research
Laundry
Liquor-beer, package store
Movies, theater
Parking lot, commercial
Produce stands
Recreation centers, commercial
Recreation parks
Restaurant, Drive-in
Skating rinks
Storage warehouse
Taxi stands, dispatching & non-dispatching
Trade shops; skilled tradesman
Welding Shop
Wholesale sales, warehouse

7. The following uses that are included by interpretation within the General Commercial (GC) and/or Office Space Institutional (OSI) zoning classification, but not specified by name, shall not be permitted:

Convenience Store
Fast Food Restaurant

8. The utilization of environmentally sensitive lantern-type lighting at a maximum height of 20 feet, with any lighting on the buildings being shielded to prevent outward illumination.
9. Utilization of ground-based monument style signage and compatible building identification signage. *NO SIGNAGE SHALL BE NEON AND SHALL BE SUBTLY LIGHTED SUBJECT TO STAFF REVIEW AND APPROVAL.*
10. The construction and installation of no right turn islands along Cherokee Lane with respect to both points of ingress/egress. Additionally, a maximum number of two (2) curb-cuts onto Cherokee Lane.
11. Limiting the configuration of the OSI component so that no more than three (3) office buildings front onto South Cherokee Lane. Additionally, an agreement that only the parking spaces required for those buildings pursuant to the City of Woodstock parking ratio requirements will be constructed immediately adjacent thereto.
12. The buildings constructed with respect to both the Conditional GC and OSI components will be bricked on all four (4) sides. *OF SUBSTANTIALLY THE SAME STYLE AS WEATHERSTONE. ROOFING SHALL BE DIMENSIONAL TYPE SHINGLES. APPLICANT WILL UTILIZE ITS BEST EFFORTS TO UTILIZE STEP DOWN ARCHITECTURE AT THE ENDS OF THE BUILDINGS SUBJECT TO STAFF REVIEW*
13. Compliance with all City of Woodstock Development Standards and Ordinances related to project improvements except as otherwise approved by the Mayor and City Council.

EXHIBIT "F"
CONDITIONS OF ZONING
Page 3 of 3

14. Landscaping for the proposed development shall be pursuant to a specific landscape plan which shall be submitted during the Plan Review process and subject to staff review and approval. Said landscape plan shall include the following:

a. Landscape areas shall be well kept with trees, foliage and other vegetation which shall be regularly maintained.

b. A landscaped berm shall be installed along the South Cherokee Lane frontage with the applicant utilizing its best efforts to accomplish winter screening by using evergreen plant materials such as, but not limited to, Magnolias.

c. The areas between those sections of the subject property reserved for required parking, as well as public rights-of-way, shall be included in the final landscape plan.

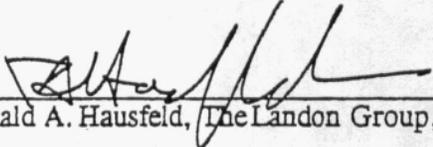
d. HVAC and mechanical systems shall be incorporated into the landscape plan and screened from view.

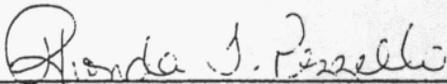
e. Dumpsters shall be incorporated into the landscape plan and shall be screened on at least three (3) sides consistent with the architectural theme and composition as aforementioned.

f. Neither Dumpsters nor HVAC will be within 55' of South Property L.

15. The southernmost entrance (point of ingress/egress) along South Cherokee Lane shall not be located across from, or within twenty five (25) feet in a southerly direction from the southernmost point of the drive way on the property indicated as owned now or formerly by Mr. & Mrs. Scott Dionne.

Agreed to on the 24 day of August 1999

Applicant: 
Donald A. Hausfeld, The Landon Group, Inc.


RHONDA L. PEZZELLO, CLERK
CITY OF WOODSTOCK

DRAFT

CITY OF WOODSTOCK

ORDINANCE

WHEREAS, the Mayor and Council of the City of Woodstock, Georgia have determined that the amendment to a condition to the rezoning of the identified property in the Exhibit "A" would be in the best interest of the property owners of the area and of the citizens of the City; and

WHEREAS, said amendment are and have been accessible to members of the public or may be, affected by them, said amendments have been kept and maintained for public inspection during the normal business hours at Woodstock City Hall, and notice to take action having been published in the Cherokee Tribune, a newspaper of general circulation within the territorial boundaries of the municipality of the City of Woodstock, for period of fifteen (15) days prior to the public hearing; and

WHEREAS, the governing authority of the City of Woodstock, Georgia has read and considered the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Mayor and Council of the City of Woodstock, Georgia that the aforesaid amendments shall now and hereafter be maintained for public inspection during normal business hours at the City Hall under the custody of the Clerk of the City of Woodstock; and

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Mayor and Council of the City of Woodstock, Georgia by the lawful authority vested in them that the above identified property, as further described in Exhibit "A" to this Ordinance, is hereby by deleting the prohibited use of "Kennel, commercial" (item #6, from the Ordinance enacted on August 24, 1999) and allowing "Kennel, commercial" at the identified property in Exhibit "A" with the following conditions:

1. The primary activities/business for Kennel shall be indoor with no outdoor boarding or keeping of animals.
2. Not more than three animals at one time shall be permitted outdoor for any activities.
3. Outdoor premises shall be kept clean and maintained all the times. Which shall be the responsibility of the either/or property owner and business operator/owner.
4. The site improvements shall be compatible with the existing structure.

APPROVED, ADOPTED, AND ENACTED this day of , 2002.

William E. Dewrell, Mayor
City of Woodstock, Georgia

Rhonda L. Pezzello, City Clerk
City of Woodstock, Georgia

(Municipal Seal)

Approved as to form: _____
Eldon L. Basham, City Attorney

1st Reading: June 11, 2002

2nd Reading: June 25, 2002

Date of Public Hearing: June 11, 2002

Advertisement: Cherokee County Tribune: May 17, 2002